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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 JEAN PIERRE REY and ILZE
9 SILARASA,

10 Plaintiffs,

11 v.

12 MICHEL REY, et al.,

13 Defendants.

CASE NO. C14-5093 BHS

ORDER DENYING
DEFENDANTS' MOTION TO
COMPEL COMPLIANCE

14 This matter comes before the Court on Defendants Builders Surplus Northwest
15 Inc., Nevawa, Inc., Michel Rey, Renee Rey, U.S. Growing Investments, Inc., U.S.
16 Investment Group Corporation, and Visitrade, Inc.'s ("Defendants") motion to compel
17 compliance (Dkt. 87).

18 On August 12, 2014, the Court granted Defendants' motion for actual damages
19 and attorney's fees pursuant to RCW 4.28.328(3). Dkt. 78. On September 10, 2014, the
20 Court determined the amount of that award. Dkt. 85. On October 23, 2013, Defendants
21 filed the instant motion requesting that the Court order Plaintiffs Jean Pierre Rey and Ilze
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1 Silarasa (“Plaintiffs”) to pay the award by a certain date or be held in contempt. Dkt. 87.
2 On November 3, 2014, Plaintiffs responded arguing that the award was more akin to a
3 final judgment than a sanction, and Defendants should therefore seek execution of
4 judgment. Dkt. 89. On November 7, 2014, Defendants replied. Dkt. 90.

5 The parties fail to cite any binding authority for either position. In the absence of
6 any contrary authority, the Court agrees with Plaintiffs that the award is more akin to a
7 judgment instead of sanctions issued under the court’s inherent authority. The award was
8 granted pursuant to specific statutory guidelines and includes actual damages as well as
9 attorney’s fees. Therefore, the Court **DENIES** Defendants’ motion. Defendants may
10 request an amended judgment if they so desire.

11 **IT IS SO ORDERED.**

12 Dated this 13th day of November, 2014.

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BENJAMIN H. SETTLE
16 United States District Judge
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